



NFL PLAYERS
ASSOCIATION

LEGAL DEPARTMENT

May 12, 2017

VIA UPS, EMAIL

Joseph Feste
11719 Bee Caves Rd
#100
Austin, TX 78738
jfeste@kmcapitalmgt.com

Dear Mr. Feste:

As I advised your attorney, this letter is to advise you that as the result of recent public information discovered during our background check relative to your reapplication for registration, and pursuant to the procedures governing Registered Player Financial Advisors, (Appendix C, Section I), as the result of the extraordinary circumstances reflected in the information discovered, the NFLPA is immediately and indefinitely suspending your Registered Player Financial Advisor's Registration, pending revocation.

In your recent renewal application, you acknowledged your responsibility to comply with the NFLPA's Regulations, and that "making false or misleading statements in answering any question on this application can result in suspension or revocation of my registration."

In your recent application for renewal of your Registration with the NFLPA, you answered "no" to the question, "*Civil Proceeding*: Since your initial registration in the Program, have you, or any company, entity or other organization subject to your control been named as a plaintiff or defendant in any civil proceeding?"

Despite your denial of involvement in civil litigation, we have identified the matter of Storehouse Lending, LLC v. KJC Auto Title Loan Corp., Cause No.352-282616-15, filed in Tarrant County Texas. Specifically, in paragraph 11 of that complaint it is alleged:

On or about January 6, 2011, Storehouse Lending, LLC ("SHL"), a Texas Limited Liability Company, was formed with the business purpose of providing funding for short-term auto title loans to qualified individuals to be facilitated by Defendant KJC. The typical demographic of individuals provided loans were persons with troubled credit ratings that needed short-term loans which other lending institutions typically would not extend loans to. SHL is owned and operated by Joey Feste ("Feste") and is located in Austin, Texas....



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Further, in your application for renewal of your Registration with the NFLPA, you represented that you held insurance licenses in "PA, TX, LA, TN, WA, KS". Despite that answer the Washington Office of the Insurance Commission has advised that you are not currently licensed to sell insurance in that state.

Further, you have engaged in the following conduct, in violation of the NFLPA Regulations and Code of Conduct Governing Registered Player Financial Advisors:

1. Unauthorized inclusion and usage of the NFLPA logo on the KM Capital Management Website;
2. Improperly claiming to be "NFLPA Certified" on the KM Capital Management's website.

The aforementioned conduct violates NFLPA Regulations and Code of Conduct Governing Registered Player Financial Advisors inasmuch as you have:

1. Made false or misleading statements in answering questions on your application for registration.
2. Used the NFLPA's name and logo in an advertisement/promotional material without prior express written consent in violation of Section Seven of the NFLPA Regulations;
3. Made "false or misleading statement about [your] ability, degree, or area of competence in violation of Section 4 (II)(A)(9), by asserting "Certification" by the NFLPA
4. Made "false or misleading statement about [your] ability, degree, or area of competence in violation of Section 4 (II)(A)(9), by asserting licensure in the state of Washington;
5. Violated the provisions of the NFLPA Regulations and Code of Conduct Governing Registered Player Financial Advisors in violation of Section 4 (II)(A) (11) by suggesting that your status as a Registered Player Financial Advisor constituted an endorsement of your qualifications;
6. Violated multiple provisions of the NFLPA Regulations and Code of Conduct Governing Registered Player Financial Advisors in violation of Section 4 (II)(A) (14).



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Pursuant to the Regulations and Code of Conduct Governing Registered Player Financial Advisors (Appendix C), the Committee on Advisor Regulation and Discipline ("CARD") hereby issues this disciplinary complaint with the intention of revoking your registration as a Registered Player Financial Advisor. In accordance with the Regulations and Code of Conduct Governing Registered Player Financial Advisors, an answer to these complaints and allegations is due no later than thirty (30) days from the date of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ned Ehrlich", written over a horizontal line.

Ned Ehrlich
Associate General Counsel

cc: Tom DePaso
Dana Hammonds
Tim Christine
Derek Flynn